

AMENDED IN SENATE APRIL 5, 2010

**SENATE BILL**

**No. 1045**

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**Introduced by Senator Alquist**

February 16, 2010

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An act to amend Section ~~66010.1~~ 66410 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1045, as amended, Alquist. Donahoe Higher Education ~~Act. Act:~~ *textbooks.*

Existing law, the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Among other things, the act ~~identifies common educational missions shared by educational institutions in California, and differentiates more specific missions and functions among the various educational segments~~ *requires publishers of textbooks offered for sale at a public or a private postsecondary institution of education to make the textbooks available, in whole or in part, to the extent practicable, in an electronic format by January 1, 2020, and requires electronic versions of textbooks to include the same content as the printed versions.*

This bill would ~~make technical, nonsubstantive changes to these provisions~~ *instead require the electronic versions of textbooks to contain, at a minimum, the same content as printed versions.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 66410 of the Education Code is amended  
2     to read:

3     66410. (a) No later than January 1, 2020, any individual, firm,  
4     partnership, or corporation that publishes textbooks offered for  
5     sale at the University of California, the California State University,  
6     the California Community Colleges, or a private postsecondary  
7     educational institution in the state shall, to the extent practicable,  
8     make the textbooks available, in whole or in part, for sale in an  
9     electronic format. The electronic version of any textbook shall  
10    contain, *at a minimum*, the same content as the printed version and  
11    may be copy-protected.

12    (b) For purposes of this section, “textbook” has the same  
13    meaning as defined in subdivision (b) of Section 66406.7.

14    (c) This section does not authorize any use of instructional  
15    materials that would constitute an infringement of copyright under  
16    the Copyright Revision Act of 1976, as amended (17 U.S.C. Sec.  
17    101 et seq.).

18    ~~SECTION 1. Section 66010.1 of the Education Code is~~  
19    ~~amended to read:~~

20    ~~66010.1. The purpose of this article is to identify common~~  
21    ~~educational missions shared by educational institutions in the state~~  
22    ~~and to differentiate more specific missions and functions among~~  
23    ~~the various educational segments.~~